
HOUSE BILL No. 1584

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-42-21-4.

Synopsis: Use of expired medications. Allows a practitioner to deliver to a patient through a community or migrant health center or maternal and child health clinic a drug sample that is not more than five years past the expiration date.

Effective: July 1, 2007.

Kersey

January 23, 2007, read first time and referred to Committee on Public Health.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1584

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-42-21-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. **(a) Except as**
3 **provided in subsection (b),** a person who:

4 (1) is a manufacturer, wholesaler, practitioner, or pharmacist, or
5 is an employee or agent of a manufacturer, wholesaler,
6 practitioner, or pharmacist; and

7 (2) either:

8 (A) knowingly or intentionally removes a drug sample from its
9 original packaging, repackages the drug sample, and delivers
10 the drug sample to an ultimate user in exchange for money or
11 other property; or

12 (B) knowingly or intentionally delivers a drug sample to an
13 ultimate user when the expiration date listed by the
14 manufacturer on the drug sample has passed;

15 commits a Class B misdemeanor.

16 **(b) This section does not apply to a practitioner or an employee**
17 **of a practitioner who delivers a drug sample to an ultimate user**



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- 1 **when:**
2 (1) the drug sample is not more than five (5) years past the
3 expiration date listed by the manufacturer; and
4 (2) the drug sample is distributed through a:
5 (A) community or migrant health center (as defined in
6 IC 16-46-5-1); or
7 (B) maternal and child health clinic (as defined in
8 IC 16-46-5-5).

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